UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII 300 ALA MOANA BOULEVARD, ROOM C-409 HONOLULU, HAWAII 96850

CHAMBERS OF SUSAN OK! MOLLWAY UNITED STATES DISTRICT JUDGE

TELEPHONE (808) 541-1720 FAX (808) 541-1724

TRANSMITTAL MEMORANDUM

DATE: September 19, 2006

TO: Office of the Clerk

United States Court of Appeals

for the Ninth Circuit 95 Seventh Street

San Francisco, California 94102

FROM: Joni Gross, secretary to

Susan Oki Mollway

United States District Court

300 Ala Moana Blvd., Room C-409

Honolulu, HI 96850

RE: Nesbit, et al. v. Department of Public Safety, et al.; Civ. 04-00167 SOM

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REMARKS: